

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
KNOXVILLE DIVISION

STATE OF TENNESSEE, <i>ex rel.</i>)	
JONATHAN SKRMETTI, ATTORNEY)	
GENERAL and REPORTER, and)	
COMMONWEALTH OF KENTUCKY, <i>ex</i>)	
<i>rel.</i> DANIEL CAMERON, ATTORNEY)	3:23-CV-00046-DCLC-JEM
GENERAL,)	
)	
Plaintiffs,)	
)	
v.)	
)	
IDEAL HORIZON BENEFITS, LLC d/b/a)	
SOLAR TITAN USA, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

Defendants Michael Atnip and Craig Kelley (“Individual Defendants”), jointly with Plaintiffs State of Tennessee and Commonwealth of Kentucky (“Plaintiffs”) move for an order amending the Preliminary Injunction [Doc. 159] to modify the freeze of the Individual Defendants’ assets [Doc. 210]. In particular, the parties have agreed to modify the asset freeze as it relates to the Individual Defendants’ First Horizon Advisors bank account ending in 0039 as follows: (1) the Individual Defendants will collectively receive up to \$15,000 per month from the income derived from their assets and \$32,000 as a one-time lump sum payment; (2) counsel for the Individual Defendants will receive a one-time lump sum payment of \$350,000; (3) the Receiver will receive a one-time lump sum payment of \$225,000 and will be relieved of the obligation to pay \$3,500 per month to each Individual Defendant until November 2023; (4) the Individual Defendants will receive \$10,000 as a one-time lump sum payment for rental property repairs.

Considering the parties' agreement, the joint motion [Doc. 210] is well-taken and **GRANTED**. It is hereby **ORDERED** that the following modifications of the asset freeze are approved, consistent with the details provided by the parties:

1. the Individual Defendants shall collectively receive up to \$15,000 from income derived from their assets, including dividend payments and rental income for the months of June, July, August, September and October 2023;

2. the Individual Defendants shall receive a one-time lump sum amount of \$32,000;

3. the Individual Defendants' assets shall be unfrozen to permit a payment of \$350,000 for the Individual Defendants' attorneys' fees;

4. the Individual Defendants shall pay \$225,000 to the Receiver, who shall be relieved of the obligation to pay \$3,500 per month to the Individual Defendants until November 2023, provided the Receivership estate has the funds in November 2023 to keep making a stipend payment in accordance with the Preliminary Injunction [Doc. 159]; and

5. the Individual Defendants shall receive a one-time lump sum amount of \$10,000 solely for repairs and maintenance of their rental properties.

It is further **ORDERED** that Defendants' Renewed Motion to Modify Order and Release Assets to Pay Living and Legal Expenses [Doc. 163] and Motion for *In Camera* Review [Doc. 168] are **DENIED AS MOOT**.

SO ORDERED:

s/ Clifton L. Corker
United States District Judge